

HIGH COURT OF UTTARANCHAL AT- NAINITAL.

Writ Petition No. 737 (S/S)2004

Anil Kumar Naithani S/o Sri T.P. Naithani,	Petitioenr.
Vs.	
State of Uttaranchal through Addl. Secretary, Education (Secondary) Ministry of Human Resource Development, Uttaranchal, Dehradun and three others,	Respondents.

Sri Rakesh Thapaliyal, learned counsel for the petitioner.
Learned Standing Counsel for the respondents.

Hon'bel M.M. Ghildiyal, J.:

Heard Sri Rakesh Thapaliyal, learned Counsel for the petitioner and learned Standing Counsel who has accepted notice on behalf of the respondents.

The petitioner who is Assistant Teacher in L.T. Grade (General) in Govt. Higher Secondary School, Mazri Mafi, District Dehradun has challenged the transfer order dated 25.06.2004 whereby the petitioner has been transferred from Govt. Higher Secondary School Mazri Mafi, Dehradun to Govt. Intermediate College, Ranigheet, Uttarkashi.

Contention of the petitioner is that he has spent more of the period of his services in the Durgam/ Remote Areas and only in the year 2002 he was transferred to Dehradun. The Govt. has framed a policy in which they have laid down guidelines for the transfer of teachers who have worked in the "Sugam Area" shall be transferred to "Durgam Areas". The petitioner has yet not completed 2 years in the "Sugam Areas". There are other teachers also who are staying in the Dehradun for the last so many years but they have not been disturbed. The petitioner has further submitted that his wife is teaching at Doiwala and there is G.O. to the effect that as far as possible the wife and the husband may be placed at one place.

The petitioner has submitted that he has already filed a representation before the Addl. Director of Education, Garhwal Mandal, Pauri on 03.07.2004, which is annexed as annexure 4 to the writ petition.

In view of these circumstances, the Additional Director of Education, Garhwal Mandal, Pauri is directed to decide the representation of the petitioner dated 03.07.2004 by a speaking order within two weeks from the date of receipt of a certified copy of this order. Till the disposal of the representation, the impugned transfer order dated 25th June 2004 shall be kept in abeyance, if the transfer order has not been given affect to.

With these directions, the writ petition is finally disposed of.

(M.M. Ghildiyal, J.)

July 6, 2004:
NCM: